

... OF Sturgeon AND CITES

If you plan to import and/or export sturgeon and their products, including meat and caviar, take a few minutes to become acquainted with wildlife laws and regulations that may affect you. **Effective April 1, 1998, all sturgeon and paddlefish species worldwide will be covered under the provisions of CITES.**

WHAT IS CITES AND HOW DOES IT APPLY TO ME?

To ensure that commercial demand does not threaten their survival in the wild, many wildlife species are protected by CITES [Convention on International Trade in Endangered Species of Wild Fauna and Flora], a treaty that regulates trade in listed species, including hybrids and captive-bred specimens, through a permits system. Under CITES, a species is listed in one of three levels of protection, which have different permit requirements.

- ❖ Appendix I includes species threatened with extinction that are or may be affected by trade. Import is prohibited for primarily commercial purposes. Each shipment requires both export and import permits, issued only when the purpose will not be detrimental to the species' survival and only if the specimens were legally acquired. Export to establish a breeding program to sell offspring in another country is considered a commercial purpose.

- ❖ Appendix II includes species that may become threatened with extinction if trade is not regulated. Specimens require an export permit, issued for any purpose as long as export is not detrimental to species' survival and specimens were legally acquired. Sometimes, species need to be included in Appendix II if their similarity to certain listed species is sufficient to create enforcement problems.

- ❖ Appendix III includes species listed by individual range countries to obtain international cooperation in controlling trade. Export of specimens born in a country that did not list them requires a Certificate of Origin.

Export permits for any CITES-listed live specimens may be issued only when the applicant demonstrates that the animals will be humanely shipped, i.e., if by air, the shipment meets the International Air Transport Association (IATA) Live Animals Regulations.

The Office of Management Authority administers CITES in the U.S. and processes applications for permits described above.

WHY WERE STURGEON LISTED?

The order, Acipenseriformes, are a primitive group of approximately 27 species of fish, whose biological attributes make them vulnerable

to intensive fishing pressure or other agents of elevated adult mortality. Although females produce large quantities of eggs, juvenile mortality is high; sturgeons are generally long-lived and slow to mature (reaching sexual maturity at 6-25 years); and depend on large rivers to spawn. Sturgeons are fished for meat and caviar, with caviar being the most valuable product and in highest demand in international trade. Many species of sturgeons, the primary source of commercial caviar, have experienced severe population declines worldwide because of both habitat destruction and excessive take for international trade. Some are at serious risk of extinction.

Sturgeons of the Caspian Sea produce what is claimed to be the highest quality caviar and are the source of more than 90% of the world caviar trade. Russia, Kazakhstan, Azerbaijan, Turkmenistan, and Iran now supply most of the caviar from the Caspian Sea. Since the mid-1970's very marked declines in the populations of all six of the Caspian Sea's sturgeon species have been noted, especially Beluga (*Huso huso*), Russian (*Acipenser gueldenstaedtii*), and stellate (*A. stellatus*) sturgeons. Five of the six species of Caspian Sea sturgeons are considered endangered by IUCN (the World Conservation Union). The problem has become exacerbated due to deteriorating fishery management and enforcement capabilities in the region,

resulting in significant levels of poaching and illegal trade. The total present take is believed to far exceed sustainable levels.

To curtail the trade in illegally obtained [poached] caviar, and to ensure sustainable use and management of wild sturgeon, particularly those of the Caspian Sea, sturgeon were considered for listing in CITES. These concerns led to the development of the CITES listing proposal by Germany to include all presently unlisted species of sturgeons in Appendix II. Prior to submission of the proposal, Russia and Germany hosted a 3-day multilateral consultation in Moscow on the problem of sturgeon species within the framework of CITES. All sturgeon range countries on the Caspian Sea, as well as the U.S. were invited. Range states for sturgeon discussed the scientific merit for a listing proposal and the possible solutions a CITES listing could provide. It was agreed that CITES could provide a regulatory mechanism for import and export to curtail the illegal caviar trade and reduce threat to the wild populations. In January 1997, the United States, as a sturgeon range state and major importer of Caspian Sea caviar, agreed to co-sponsor the CITES listing proposal with Germany.

At the Tenth Conference of the CITES Parties [COP10] held in Zimbabwe in June 1997, the proposal was adopted by consensus. Prior to COP10, short-nosed sturgeon (*A. brevirostrum*) and Baltic sturgeon (*A. sturio*) were listed in CITES Appendix I and Atlantic sturgeon (*A. oxyrinchus*) and American Paddlefish (*Polydon spathula*) were listed in CITES Appendix II. At COP10, five of the newly listed species were listed in Appendix II because of their population status and trade levels: Beluga, Russian, stellate, Siberian

(*A. baerii*), and ship or spiny (*A. nudipectus*) sturgeons. All sturgeon species not already listed in CITES before COP10 were included in Appendix II because of the similarity of appearance of their caviar to that of the Caspian Sea species. This includes the white sturgeon (*Acipenser transmontanus*) from North America. **The end result is that all sturgeon and paddlefish species worldwide are now covered under the provisions of CITES.** This will facilitate wildlife inspections at ports of entry and the detection of illegal shipments.

WHAT WILL THE STURGEON LISTING ACCOMPLISH?

The listing of sturgeon will provide a regulatory mechanism for the import and export of sturgeon and their products, thereby curtailing the illegal caviar trade and detriment to the wild populations, notably those of the Caspian Sea. It will ensure sustainable use and management of the wild sturgeon stocks. With effective implementation by CITES Parties, it should help prevent further decline of wild stocks to the level at which they will qualify for inclusion in CITES Appendix I. This would ensure a commercially viable trade in sturgeon and sturgeon products.

WHAT ARE THE PRACTICAL EFFECTS OF THE STURGEON LISTING IN CITES?

With the listing of all sturgeon and paddlefish species in CITES at COP10, this fishery product for human or animal consumption will no longer be exempted from the Service's regulations regarding import or export of wildlife. All sturgeon species, their parts and products, including meat and caviar, will have to be declared to the Service upon import or export, as well as meet applicable permit, import and licensing requirements.

WHAT ARE THE REQUIREMENTS FOR THE IMPORT AND EXPORT OF STURGEON AND THEIR PRODUCTS INTO THE UNITED STATES?

1. All commercial importers and exporters of fish or wildlife are required to obtain a license to import or export fish or wildlife. The license fee is \$50 and valid for one year. Applications are submitted to the Service's Regional Office in the area where the business is located [Addresses are available from the Office of Management Authority]. Sample shipments are considered commercial under both Customs and Service regulations. They are subject to the licensing requirements and inspection fee.

2. Domestic trade within the U.S. will **NOT** be effected by this listing. For export to other countries, **however**, a CITES export permit or re-export certificate will need to be obtained in advance from the Service for each shipment. Permits are obtained from the Office of Management Authority [contact information listed below]. This permit provides assurance to importing countries that the shipment is in compliance with CITES and, therefore, minimizes the possibility that perishable materials will be unduly detained. CITES export permits are valid for six months.

3. Under CITES, no import permit is required for CITES Appendix II specimens; but some countries, for example, EU members, have stricter domestic legislation and may also require import permits or licenses. However, all shipments must be accompanied by an original validated CITES export permit or re-export certificate from the exporting country. Currently, CITES-listed wildlife and their products from Russia and the CIS Member States (including the sturgeon exporting countries of

Azerbaijan, Kazakhstan and Turkmenistan) are allowed entry into a CITES member country when accompanied by a valid CITES export permit or re-export certificate issued by the CITES Management Authority of Russia.

4. All imports and exports of sturgeon and sturgeon products must be brought through one of the Service's designated ports of entry or exit for wildlife, unless a port exception permit has been obtained in advance (contact OMA for a list of ports).

5. Air and ocean cargo and mail shipments of sturgeon and sturgeon products, as well as commercial baggage shipments and personal shipments of caviar over 250 grams must be declared to the Service. The U.S. importer or exporter or their agent must submit FWS Form 3-177, Declaration for the Importation or Exportation of Fish and Wildlife to a Service wildlife inspection office to receive clearance. For imports, a valid foreign original CITES export or re-export permit must also be submitted, in addition to copies of all shipping documents such as invoices, packing lists, and waybills or bills of lading. For export, a valid CITES export or re-export permit must also be presented for validation by Service personnel, along with copies of all shipping documents.

6. All wildlife shipments subject to Service regulations must be inspected and cleared by the Service. An inspection conducted by one of the Service's Wildlife Inspectors consists of a document examination and/or physical examination of the shipment. The Service expedites inspection and clearance of perishable shipments, including fresh sturgeon, sturgeon products, and live sturgeon. Imports of sturgeon and sturgeon products are required

to be inspected and cleared prior to release by U.S. Customs, as is the case for all wildlife regulated by the Service. Exports of sturgeon and sturgeon products will be subject to inspection and clearance prior to the physical loading of the wildlife on a vehicle or aircraft, or prior to containerization or palletization of the wildlife. Importers/exporters or their agents must notify the inspection staff at the port of entry/exit 48 hours prior to the arrival of any live or perishable shipment to ensure that inspection staff are available to expedite the shipment.

WILL THE SHIPPER BE
REQUIRED TO AUTHENTICATE
HIS SHIPMENT?

The Service's Forensics Laboratory has developed a method of positively identifying and distinguishing the caviar of different species of sturgeon and the country of origin, in some cases. Shipments, particularly imports, may be subject to random testing to ensure that valid CITES permits correspond to the actual physical contents of a particular shipment. Such testing will be done at the Service's expense. Importers/exporters will not be required to submit their shipments of caviar to outside laboratories for DNA analysis and will not be required to obtain certificates for the authenticity of sturgeon species contained in shipments under the Service's requirements.

WHAT ABOUT AN EXEMPTION
FOR PERSONAL EFFECTS IN
ACCOMPANYING BAGGAGE?

Persons traveling to/from the U.S. are permitted to transport with them a tin(s) of caviar containing a maximum net weight of 250 grams of caviar. Such a tin of caviar for personal use is exempted from the CITES import/export require-

ments. This exemption does not mean that commercial shippers shipping caviar tins of 250 gm or less are exempted from the CITES import/export requirements, but rather travelers purchasing 250 gm or less of caviar abroad for personal use are exempted from CITES import/export requirements. Such personal effects must accompany the traveler.

CAVIAR TYPES COVERED BY
CITES LISTING OF
STURGEON & PADDLEFISH:

American sturgeon, American black, asetra, baku, beluga, hackleback, kaluga, osetra, paddlefish, sevruga, shovel-nosed sturgeon, sterlet, and any of these types preceded by a geographic locality or followed by the term "*malossol*."

CAVIAR [ROE] NOT COVERED
BY CITES LISTING:

bowfin, carp, cod, flying fish, her-
ring, lobster, lumpfish, mullet,
pollack, salmon, shad, tobiko,
trout, whitefish.

Common and Scientific Names of Sturgeon Species, and Their Listing in a CITES Appendix

Adriatic sturgeon (<i>Acipenser naccarii</i>)	II	Gulf sturgeon (<i>Acipenser oxyrhynchus desotoi</i>)	II	Shell back sturgeon (<i>Acipenser fulvescens</i>)	II
Alabama sturgeon (<i>Scaphirhynchus suttkus</i>)	II	Hackleback (<i>Scaphirhynchus platyrhynchus</i>)	II	Ship sturgeon (<i>Acipenser nudiiventris</i>)	II
Amur sturgeon (<i>Acipenser schrenckii</i>)	II	Italian sturgeon (<i>Acipenser naccarii</i>)	II	Short-nosed sturgeon (<i>Acipenser brevirostrum</i>)	I
Atlantic sturgeon (<i>Acipenser oxyrhynchus</i>)	II	Kaluga (<i>Huso dauricus</i>)	II	Shovelfish (<i>Pseudoscaphirhynchus kaufmanni</i>)	II
Baikal sturgeon (<i>Acipenser baerii</i>)		Kaluga sturgeon (<i>Huso dauricus</i>)	II	Shovelnose sturgeon (<i>Scaphirhynchus platyrhynchus</i>)	II
<i>baicalensis</i>)	II	Lake sturgeon (<i>Acipenser fulvescens</i>)	II	Siberian sturgeon (<i>Acipenser baerii</i>)	II
Baltic sturgeon (<i>Acipenser sturio</i>)	I	Large Amu-Dar shovelnose (<i>Pseudoscaphirhynchus kaufmanni</i>)	II	Small Amu-Dar shovelnose (<i>Pseudoscaphirhynchus hermanni</i>)	II
Beluga (<i>Huso huso</i>)	II	Oregon sturgeon (<i>Acipenser transmontanus</i>)	II	Smoothback (<i>Acipenser fulvescens</i>)	II
Bony sturgeon (<i>Acipenser fulvescens</i>)	II	Ossetra (<i>Acipenser gueldenstaedtii</i>)	II	Star sturgeon (<i>Acipenser stellatus</i>)	II
Changjiang sturgeon (<i>Acipenser dabryanus</i>)	II	Pacific sturgeon (<i>Acipenser transmontanus</i>)	II	Starry sturgeon (<i>Acipenser stellatus</i>)	II
Chinese paddlefish (<i>Psephurus gladius</i>)	II	Paddlefish (<i>Polyodon spathula</i>)	II	Stellate sturgeon (<i>Acipenser stellatus</i>)	II
Chinese sturgeon (<i>Acipenser sinensis</i>)	II	Pallid sturgeon (<i>Scaphirhynchus albus</i>)	II	Sterlet (<i>Acipenser ruthenus</i>)	II
Chinese swordfish (<i>Psephurus gladius</i>)	II	Persian sturgeon (<i>Acipenser persicus</i>)	II	Stone sturgeon (<i>Acipenser fulvescens</i>)	II
Columbia sturgeon (<i>Acipenser transmontanus</i>)	II	Red sturgeon (<i>Acipenser fulvescens</i>)	II	Swichtail (<i>Scaphirhynchus platyrhynchus</i>)	II
Common sturgeon (<i>Acipenser fulvescens</i>)	II	River sturgeon (<i>Acipenser dabryanus</i>)	II	Syr-Dar shovelnose (<i>Pseudoscaphirhynchus fedtschenkoi</i>)	II
Dabry's sturgeon (<i>Acipenser dabryanus</i>)	I	Rock sturgeon (<i>Acipenser fulvescens</i>)	II	Thorn sturgeon (<i>Acipenser nudiiventris</i>)	II
European sturgeon (<i>Huso huso</i>)	II	Ruddy sturgeon (<i>Acipenser fulvescens</i>)	II	White hackleback (<i>Scaphirhynchus albus</i>)	II
False shovelnose sturgeon (<i>Pseudoscaphirhynchus kaufmanni</i>)	II	Russian sturgeon (<i>Acipenser gueldenstaedtii</i>)	II	White shovelnose (<i>Scaphirhynchus albus</i>)	II
Freshwater sturgeon (<i>Acipenser fulvescens</i>)	II	Sacramento sturgeon (<i>Acipenser transmontanus</i>)	II	White sturgeon (<i>Acipenser transmontanus</i>)	II
Fringebarbel sturgeon (<i>Acipenser nudiiventris</i>)	II	Sakhalin sturgeon (<i>Acipenser mikadoi</i>)	II	White sturgeon (<i>Psephurus gladius</i>)	II
Giant sturgeon (<i>Huso huso</i>)	II	Sand sturgeon (<i>Scaphirhynchus platyrhynchus</i>)	II	White sturgeon (<i>Scaphirhynchus lbus</i>)	II
Great sturgeon (<i>Huso huso</i>)	II	Sevruga (<i>Acipenser stellatus</i>)	II	Yangtze sturgeon (<i>Acipenser dabryanus</i>)	II
Great Lakes sturgeon (<i>Acipenser fulvescens</i>)	II				
Green sturgeon (<i>Acipenser medirostris</i>)	II				